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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Giordano Jackson,

10 Petitioner,

11 v.

12 United States of America,

13 Respondent.
14

No. CV-24-08126-PCT-DJH

ORDER

15 Pending before the Court is United States Magistrate Judge Michael T. Morrissey's
16 Report and Recommendation ("R&R") (Doc. 7). Therein, Judge Morrissey recommends
17 that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence pursuant to
18 28 U.S.C. § 2255 (Doc. 1) be denied and dismissed with prejudice. (*Id.*) He also
19 recommends that a Certificate of Appealability and leave to proceed in forma pauperis on
20 appeal be denied. (*Id.* at 5). Judge Morrissey informed the parties that they had fourteen
21 (14) days to file any objections to his R&R. (*Id.* at 6). No objections have been filed and
22 the time to do so has passed. The Court has reviewed the R&R and the applicable law and
23 agrees with the findings and conclusions therein.

24 Accordingly,

25 **IT IS ORDERED** that Magistrate Judge Morrissey's Report and Recommendation
26 (Doc. 7) is **ACCEPTED** and **ADOPTED** as the Order of this Court.


27 **IT IS FURTHER ORDERED** that the Motion to Vacate, Set Aside, or Correct
28 Sentence pursuant to 28 U.S.C. § 2255 (Doc. 1) is **DENIED** and **DISMISSED WITH**

1 **PREJUDICE.**

2 **IT IS FURTHER ORDERED** that a Certificate of Appealability and leave to
3 proceed in forma pauperis on appeal are **DENIED** because dismissal of the Petitioner is
4 justified by a plain procedural bar and reasonable jurists would not find the ruling
5 debatable.

6 **IT IS FINALLY ORDERED** that the Clerk of the Court shall terminate this action
7 and enter judgment accordingly.

8 Dated this 21st day of April, 2025.

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11 
12 Honorable Diane J. Humetewa
13 United States District Judge
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